

# Cooley

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Via ECF

June 29, 2017

Hon. Lois Bloom  
United States Magistrate Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

*Application  
granted*  
*S/ Ordered*

S/ CBA

6/29/17 -

Re: **Abbott Laboratories et al. v. H&H Wholesale Services Inc., et al., 17 Civ. 3095 (E.D.N.Y.)**

Dear Judge Bloom:

We write to request that two documents attached as Exhibits 9 and 12 to the Potter Declaration (Docket # 6-9 and 6-13) be placed under seal and removed from the public record.

Exhibits 9 and 12 were initially filed under seal. During the June 15, 2017 teleconference with the Court, the Court asked *sua sponte* whether the case record should be unsealed. Counsel for H&H did not object at that time because we regrettably did not realize that these highly confidential documents were included as exhibits to the Potter Declaration.

Both documents are marked Highly Confidential Attorneys' Eyes Only pursuant to the Protective Order (Docket # 882) in the related action, *Abbott Laboratories et al. v. Adelpia Supply USA, et al.*, 15-cv-05826. The public disclosure of these documents is in violation of that Order. The documents contain commercially sensitive information whose continued disclosure creates a substantial risk of serious harm to the Defendants. We therefore request that these documents immediately be placed under seal.

Counsel for Plaintiffs has consented to this request.

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Respectfully submitted,

/s/ Alan Levine

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cc: All counsel of record (via email)

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